IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 4154 of 2007(T)

PETITIONER:

P.A.GANGADHARAN, PALLATHUKUDY HOUSE,
ALLAPPARA, PERUMBAVOOR, NOW WORKING AS COUNTER,
GOVERNMENT CENTRAL TEXT BOOK STORE, ERNAKULAM.

BY ADV. SRI.N.ANILKUMAR

RESPONDENTS:

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1. THE DISTRICT EDUCATIONAL OFFICER,
ERNAKULAM.

2. THE STORE KEEPER,
GOVERNMENT CENTRAL TEXT BOOK STORE, ERNAKULAM.

3. MANAGER,
ERNAKULAM DISTRICT CO-OPERATIVE BANK,
ERNAKULAM MAIN BRANCH.

4. SMT.PREMA ASHOKAN, W/O.LATE ASHOKAN,
THAZAPARAMBIL HOUSE, KAVUTHADAM,
MALIPPURAM P.O.

R1 & R2 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 4154 OF 2007 T

Dated this the 5th March, 2007

JUDGMENT

Prayers in the Writ Petition are as follows:

> *"i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents 1 & 2 not to effect any recovery from petitioner's salary.*
>
> *ii) Direct the third respondent Bank to furnish the full details of the payments made towards the loan transaction taken by Smt. Prema Asokan.*
>
> *Iii) Direct the third respondent Bank to release the balance amount, if any, from the property of the fourth respondent."*

2. As far as the first prayer is concerned, there was an interim order directing respondents 1 and 2 not to recover any

amount from the salary of petitioner for the month of February, 2007 and it is the admitted case that the petitioner retired in February, 2007. Therefore, no further relief can be granted in regard to prayer No.1. As far as the second prayer is concerned, I heard the learned counsel appearing for the third respondent Bank also. There will be a direction to the third respondent to give full details of the payments made towards the loan taken by fourth respondent, to the petitioner within a period of three weeks from the date of receipt of a copy of this Judgment. As far as the third prayer is concerned, I do not think it really survives, having regard to the fact that the petitioner has retired. But, at the same time, in case the petitioner is proceeded against for recovery of any amount, I leave open the right of petitioner to seek appropriate remedy.

The Writ Petition is closed.

K. M. JOSEPH, JUDGE

kbk.